

EXHIBIT E

[TRANSLATION]

*Note: This Notice has been abolished by *List of 26 Abolished Ministerial Regulations of the Fourth Batch by Ministry of Foreign Trade and Economic Cooperation* (promulgation date: March 21, 2002, effective date: March 21, 2002).

1997 MOFTEC & SDA Notice

Notice Relating to Strengthening the Administration of Vitamin C Production and Export by Ministry of Foreign Trade and Economic Cooperation and State Drug Administration

((1997) MOFTEC Guan Fa No. 664)

(Issued on November 27, 1997, effective from January 1, 1998)

The Foreign Trade & Economic Cooperation Commissions (Departments and Bureaus) of each province, autonomous region and municipality, State Drug Administration (the "SDA") and relevant departments of drug administration, all Companies directly under the MOFTEC and local counterpart of MOFTEC, all representative offices of MOFTEC, China Chamber of Commerce of Medicines & Health Products Importers & Exporters (the "Chamber"):

China is one of the biggest countries manufacturing and exporting Vitamin C. At present, Vitamin C export encounters intense competitions and challenges from the international market. In order to rectify the operational order and optimize the operational team of Vitamin C export, realize the scale-operation on export, improve the competitiveness of our Vitamin C products in the international market, promote the healthy development of Vitamin C export and maintain the interest of our country and enterprises, we hereby set forth the following:

1. The scale of Vitamin C production shall be strictly controlled.

(1) The establishment of Vitamin C manufacturing enterprises (including foreign investment enterprises) shall be strictly controlled, and the existing enterprises shall not expand production capacity any more.

(2) The production licensing system shall apply to those Vitamin C manufacturing enterprises that already started production (not including foreign investment enterprises). The SDA shall issue the production licenses to the Vitamin C manufacturing enterprises, and be responsible for publicizing information of annual production guidance.

(3) For the enterprises that has been in continuous production in recent years and achieved certain scales, the production license can be issued to them.

(4) Only the products manufactured by the enterprises that are verified by the SDA and obtained the production license can be supplied for export.

SDA shall formulate specific regulations to implement the above principles and circulate such regulations to the enterprises after seeking comments from MOFTEC.

DEFENDANT'S
TRIAL EXHIBIT

E.D.N.Y. / 06-MD-01738

DTX-012

2. MOFTEC shall consult with SDA and relevant departments when determining the total volume of Vitamin C export and the principles for quota allotment.

3. The enterprises qualified to operate Vitamin C export are: the export enterprises whose annual export volume reached 200 tons in any one of the continuous years from 1994 to 1996, which include foreign trading companies, manufacturing enterprises with the right to export their own products, and foreign investment companies (excluding those starting production in 1997). One of the attachments hereof is a list of the authorized enterprises (Please refer to Annex 1).

4. The method for allocating export quota shall be improved, Vitamin C export operation team shall be optimized in order to achieve scale-operation on export.

Every local counterpart of MOFTEC shall distribute the export quota set by MOFTEC to the enterprises qualified to operate Vitamin C export in strict accordance with the provisions hereof. It is imperative to follow the principle of fostering the excellent and scrapping the obsolete, distribute the quotas in preference to the enterprises with proper operational capabilities and outstanding profitability.

5. The Chamber shall improve the coordination on Vitamin C export, and shall monitor, supervise and examine how this notice is implemented by Vitamin C export enterprises, and timely report to MOFTEC about the relevant issues and problems.

6. The Chamber shall establish a Vitamin C Coordination Group (which was the temporary name of the Vitamin C Sub-committee before the Vitamin C Sub-committee is officially approved). The main responsibilities of this Group are to coordinate with respect to Vitamin C export market, price and customers, and to organize the enterprises in contacting foreign entities. All enterprise qualified to operate Vitamin C export shall participate in such Coordination Group and subject themselves to the coordination of the Group. The specific method for coordination shall be formulated by the Chamber, and filed to MOFTEC for record.

7. Vitamin C Export Coordination Group shall timely organize meetings for the major Vitamin C export enterprises according to the domestic and international market development, to conduct studies on marketing strategies, timely formulate and adjust export coordination price, which the Vitamin C export enterprises must strictly implement in accordance with. With respect to the enterprises competing at low price and reducing price through any disguised means, a penalty shall be imposed in strict accordance with Article 10 of this Notice.

8. The organisations that authorized by MOFTEC to issue export licenses shall strictly verify the qualification of Vitamin C export and operation of the enterprises, and verify their export contracts and issue export license according to the Vitamin C coordinated price and volume quotas.

9. Vitamin C export enterprises shall report the export situations to the Chamber at regular intervals (for detailed information, please refer to Annex 2). With respect to the export enterprises that make report beyond time or disguise report, a penalty shall be imposed as applicable.

10. With respect to the export enterprises with violations of relevant provisions hereof, if substantiated, penalties shall be imposed, specifically, the Vitamin C export quota may be reduced, in the worst case their Vitamin C export right shall be revoked.

11. Relevant provisions of this Notice shall enter into force as of the date of January 1, 1998.

Annex:

1. Vitamin C Export and Operation Enterprises List
2. Table of Vitamin C Export Status

Ministry of Foreign Trade & Economic Cooperation of People's Republic of China

State Drug Administration

November 27, 1997

Annex 1

Vitamin C Export and Operation Enterprises List¹

(Enterprises whose annual Vitamin C export volume reached 200 tons in any year from 1994 to 1996)

1. North East General Pharmaceutical Import & Export Co. Ltd.
2. Yingkou Sanyou Medical Chemical Co. Ltd.
3. JiLin Songyuan Food Industry Co. Ltd.
4. HeBei Provincial Medicines & Health Products Import & Export Co. Ltd.
5. HeBei Welcome Pharmaceutical Co. Ltd.
6. Shijiazhuang WeiSheng Pharmaceuticals Co. Ltd.
7. Shijiazhuang Pharmaceutical Group
8. JiangSu Jiang'an Pharmaceutical Co. Ltd.
9. JiangSu Jiangshan Pharmaceutical Co. Ltd.
10. JiangSu High Hope International Group Medicines & Health Products Import & Export Co. Ltd.
11. Shanghai Sunve Pharmaceutical Co. Ltd.
12. Shanghai Municipal Medicines & Health Products Import & Export Co. Ltd.
13. ShangDong Provincial Medicines & Health Products Import & Export Co. Ltd.
14. Jiangsu Kunshan Municipal Foreign Trade Co. Ltd.
15. HuNan Provincial Medicines & Health Products Import & Export Co. Ltd.
16. AnHui Provincial Medicines & Health Products Import & Export Co. Ltd.
17. AnHui Provincial Chemicals Import & Export Co. Ltd.
18. JiangXi Provincial Medicines & Health Products Import & Export Co. Ltd.
19. Sinochem Ningbo Import & Export Co. Ltd.
20. China National Pharmaceutical Foreign Trade Co. Ltd.
21. China National Medicines & Health Products Import & Export Co. Ltd.

¹ Enterprises listed in 1, 4, 5, 6, 7 and 9 are the defendants in the current litigation.

- 22. China Export Bases Development Liaoning Co. Ltd * (awaiting verification)
- 23. China North Industries Guangzhou Co. Ltd * (awaiting verification)
- 24. HaiNan Nanguang Import & Export Co. Ltd. * (awaiting verification)
- 25. HeBei Xinwei Pharmaceutical Co. Ltd. * (awaiting verification)
- 26. Mudanjiang Donghua Pharmaceutical Co. Ltd. * (awaiting verification)
- 27. AnHui Sitong Bio-Pharm Co. Ltd. * (awaiting verification)
- 28. Ningbo Jierfu Pharmaceutical Co. Ltd. * (awaiting verification)
- 29. Jinan Pharmaceutical Factory* (awaiting verification)
- 30. JiangXi Ganjiang Pharmaceutical Co. Ltd. * (awaiting verification)

Annex 2

Name of the Company:

Customs Reference No.:

Table of Vitamin C Export Status

Signed by:

Seal of Company

Text

Seal of MOFTEC:

Note: This form shall be filled with the situations of the last two months and delivered to the Western Medicines Department of the Chamber before the 10th of every odd month.

CERTIFICATE OF AUTHENTICITY OF RECORDS

City of Beijing)
People's Republic of China)
_____)

STATEMENT OF AUTHENTICITY

I, JIANG TAO, am an Officer with official duties in the Department of Law & Treaty in the Ministry of Commerce of the People's Republic of China (the "Ministry"). I certify that the authentication of documents in the Ministry's custody is within the scope of my authority and official duties. I also certify that I have compared the document attached to this Certificate and that it is, in all respects, a true and correct copy of a document on file in my office.

In proof of the facts set out in this Certificate, I have signed this Certificate on May 26, 2006, at Beijing, the People's Republic of China.

Senior Officer, Department of Law & Treaty,
Ministry of Commerce, People's Republic of China



JIANG TAO

NOTARIAL CERTIFICATE

2006C.Z.J.Zi, No.901

This is to certify that Jiang Tao (male, born on August 2, 1977, I.D.Card: 370702197708022616), the Authorized Representative of the Ministry of Commerce of the People's Republic of China, affixed his signature to the English document attached hereto before me in this office on May 26, 2006.

Notary: Wu Jun

Changan Notary Public Office
The People's Republic of China
May 26, 2006

XIV 15502920

NOTARIAL CERTIFICATE

2006C.Z.J.Zi,No.902

This is to certify that the English translation of the Notarial Certificate (2006)C.Z.J.Zi,No.901 attached hereto is in conformity with the Chinese original.

Notary:Wu Jun

Changan Notary Public Office
The People's Republic of China

May 26, 2006

XIV 15502922

1997

认字第06090858-001号

兹证明前面文书上公证处的印章和
公证员 武军 的签名(印章)
属实。



People's Republic of China)
Municipality of Beijing)
Embassy of the United) ss:
States of America)
Anu Pratiptati
Vice Consul

I, _____, Consul/Vice Consul of the United States of America at Beijing, People's Republic of China, duly commissioned and qualified, do hereby certify that Guo Hong Liang, whose true signature and official seal are, respectively, subscribed and affixed to the foregoing document, was on the 15 day of June, 2006, the date thereof, an officer of the Ministry of Foreign Affairs of the People's Republic of China, duly commissioned and qualified, to whose official acts faith and credit are due.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of the Embassy of the United States of America at Beijing, People's Republic of China this 16 day of June, 2006.

Anu Pratiptati

Anu Pratiptati
Vice Consul

*注：本篇法规已被《对外贸易经济合作部第四批废止部门规章 26 件目录》（发布日期：2002 年 3 月 21 日
实施日期：2002 年 3 月 21 日）废止

对外贸易经济合作部 国家医药管理局
关于加强维生素 C 生产、出口管理有关事项的通知
(1997)外经贸管发第 664 号

各省、自治区、直辖市及计划单列市外经贸委（厅、局），医药管理局及相应的医药管理部门，各部委直属公司，各特派员办事处，中国医药保健品进出口商会：

我国是维生素 C（以下简称维 C）生产和出口大国。目前维 C 出口面临国际市场激烈的竞争和挑战。为整顿维 C 出口经营秩序、优化出口的经营队伍、实现出口的规模化经营、提高我维 C 在国际市场的竞争能力，促进维 C 出口的健康发展，维护国家和企业利益，特通知如下：

一、严格控制维 C 生产规模。

- (一) 严格限制新建维 C 生产企业（包括外商投资企业），现有维 C 生产企业不再扩大生产能力。
- (二) 对已开工的维 C 生产企业（不包括外商投资企业）实行生产许可证制度。国家医药管理局对维 C 生产企业颁发生产许可证，并负责公布年度生产指导信息。
- (三) 近几年连续生产并达到一定规模的企业，可获得维 C 生产许可证。
- (四) 经国家医药管理局审核并获得生产许可证的企业生产的产品，方可供应出口。
国家医药管理局将根据上述原则制定具体实施细则，并在征求外经贸部意见后下达。

二、外经贸部在确定维 C 出口总量、配额分配原则时征求国家医药管理局及有关部门的意见。

三、维 C 出口经营资格为：1994—1996 年 3 年中任何一年出口量达到 200 吨以上的出口企业。包括：外贸公司、自营生产出口企业、外商投资企业（97 年新投产的企业除外）。已核定的企业名单附后（见附表一）。

四、完善维 C 出口配额的分配办法，优化出口经营队伍，实行出口规模化经营。

各地方外经贸主管部门，要严格按照本通知规定，将外经贸部下达的出口配额，分配给具有维 C 出口经营资格的企业。在分配配额时要体现优胜劣汰的原则，将配额优先分配给 经营能力强，出口效益好的企业。

五、中国医药保健品进出口商会要加强对维 C 出口的协调工作，要跟踪、监督和检查维 C 出口企业的执行情况，并将有关情况和问题及时报外经贸部。

六、中国医药保健品进出口商会要设立维 C 出口协调小组（维 C 分会正式批准前暂定名称）。该小组要重点负责对维 C 出口市场、价格、客户的协调，并组织企业进行对外联络工作。凡是具有维 C 出口经营资格的企业均应加入该“协调小组”，并自觉接受其协调。具体协调办法由中国医药保健品进出口商会制定，并报外经贸部备案。

七、维 C 出口协调小组要根据国内外市场情况，适时组织维 C 主要出口经营企业召开会议，研究营销策略，及时制定和调整出口协调价格。维 C 出口企业必须严格按照执行。对低价竞销及变相降价的企业严格按照《通知》第十条处理。

八、外经贸部授权的发证机关，要严格审核企业维 C 出口经营资格并按维 C 出口协调价格和配额数量，审核企业的出口合同，核发出口许可证。

九、维 C 出口企业必须定期向中国医药保健品进出口商会报送出口情况（内容详见附表二）。凡是不按时上报或瞒报的出口企业，将视情况予以处罚。

十、对违反本通知有关规定的出口企业，一经查实，将根据情节轻重，处以扣减出口配额、直至取消其维C出口经营权的处罚。

十一、本通知有关规定自1998年1月1日起执行。

附表：一、维C出口经营企业名单

二、维生素C出口情况报表

中华人民共和国对外贸易经济合作部
国家医药管理局
一九九七年十一月二十七日

附表

维C出口经营企业名单
(1994年至1996年任何一年出口维生素C 200吨以上企业)

1. 东北制药总厂进出口公司
2. 营口三友医药化工有限公司
3. 吉林松源食品工业公司
4. 河北省医药保健品进出口公司
5. 河北维尔康制药有限公司
6. 石家庄维生药业有限公司
7. 石家庄制药集团有限公司
8. 江苏江安制药有限公司
9. 江苏江山制药有限公司
10. 江苏省汇鸿国际集团医药保健品进出口公司
11. 上海三维制药有限公司
12. 上海市医药保健品进出口公司
13. 山东省医药保健品进出口公司
14. 江苏昆山市对外贸易公司
15. 湖南省医药保健品进出口公司
16. 安徽省医药保健品进出口公司
17. 安徽省化工进出口公司
18. 江西省医药保健品进出口公司
19. 中化宁波进出口公司
20. 中国医药对外贸易总公司
21. 中国医药保健品进出口总公司
22. 中国出口商品基地建设辽宁公司* (待核定)
23. 北方工业公司广州公司* (待核定)
24. 海南南光进出口公司* (待核定)
25. 河北新维制药有限公司* (待核定)
26. 牡丹江东华制药有限公司* (待核定)
27. 安徽四通生物医药有限公司* (待核定)
28. 宁波吉尔富制药有限公司* (待核定)
29. 济南制药厂* (待核定)
30. 江西赣江制药有限责任公司* (待核定)

附表二

维生素C出口情况报表

公司名称:

公司报关编码:

年 月

填表人:

联系电话:

公私監督

外經留香藥膏

注：本表于每单月 10 日前将上两个月出口情况报至中国医药保健品进出口商会
西药部

ch1 19849

文件提供: law.chinalawinfo.com 北大法宝-《中国法律检索系统》 Tel:010-8268 9699

公 证 书

(2006)长证经字第901号

兹证明中华人民共和国商务部的授权代表蒋涛（男，一九七七年八月二日出生，身份证号码：370702197708022616）于二〇〇六年五月二十六日来到我处，在我的面前，在前面的英文文件上签字。

中华人民共和国长安公证处

公证员

二〇〇六年五月二十六日

公证处

XIV15502919

公 证 书

(2006)长证经字第902号

兹证明前面(2006)长证经字第901号《公证书》的英文译本与该公证书中文原本内容相符。

中华人民共和国长安公证处

公 证 员

二〇〇六年五月二十六日

公证处

XW15502921

NOTARIAL CERTIFICATE

2006C.Z.J.Zi,No.1036

This is to certify that the English translation of the document attached hereto is identical with the Chinese original.

Notary:Wu Jun

Changan Notary Public Office

The People's Republic of China

June 2, 2006

XIV 15505807

NOTARIAL CERTIFICATE

2006C.Z.J.Zi,No.1037

This is to certify that the English translation of the Notarial Certificate (2006)C.Z.J.Zi,No.1036 attached hereto is in conformity with the Chinese original.

Notary:Wu Jun

Changan Notary Public Office
The People's Republic of China

June 2, 2006

XIV 15505809

公 证 书

(2006)长证经字第1036号

兹证明前面的文件后所附的英文译本与中文原本内容相符。

中华人民共和国长安公证处

公 证 员

二〇〇六年六月二日

公证处

XW15505806

公 证 书

(2006)长证经字第1037号

兹证明前面(2006)长证经字第1036号《公证书》的英文译本与该公证书中文原本内容相符。

中华人民共和国长安公证处



XIV 15505808